

EXHIBIT 1



U.S. Department of Justice

*Michael J. Sullivan
United States Attorney
District of Massachusetts*

Main Reception: (617) 748-3100

*John Joseph Moakley United States Courthouse
1 Courthouse Way
Suite 9200
Boston, Massachusetts 02210*

June 29, 2005

by facsimile

Peter C. Horstmann, Esquire
220 Berkeley Street
Boston, MA 02116

Re: United States v. Noel Hernandez

Dear Mr. Horstmann:

This letter serves to memorialize the conversation we had yesterday in the United States Attorney's Office pertaining to a photographic identification of your client by an employee of Union Travel in Lynn, Massachusetts. On or about July 14, 2004, State Police Sergeant Thomas Quinn presented a single photograph of your client to the female employee of Union Travel who sold the airline tickets used by co-defendants Navarro and Mercedes. The employee identified your client as the individual who purchased the tickets. The photo used in the identification procedure appears to have been your client's booking photo. The female employee appears to have been the same individual your investigator identified as the seller of the ticket. I will provide you with additional information as I receive it.

During a recent interview of co-defendant Mercedes, he stated that co-defendant Navarro told him that he (Navarro) had smuggled drugs prior to July 13, 2004. This is inconsistent with information provided to the United States by Mr. Navarro.

Earlier today I had my assistant fax you a copy of the legal paperwork pertaining to co-defendant Navarro's lawsuit against the police. Mr. Navarro's attorney, Catherine Byrne, provided the paperwork to Nancy Rue on the day Mr. Navarro testified at the motion to suppress. It previously had been given to Ms. Byrne by SA Diorio.

Mr. Horstmann
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If you need additional assistance or information, please contact me at (617) 748-3392.

Very truly yours,

MICHAEL J. SULLIVAN
United States Attorney

By:

David G. Tobin
DAVID G. TOBIN
Assistant U.S. Attorney